



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
-----------------	-------------	----------------------	---------------------	------------------

10/620,633

07/15/2003

Brian G. Payton

SVL920030074US1/3794P

1713

45728

7590

11/01/2006

SAWYER LAW GROUP LLP

P.O. BOX 51418

PALO ALTO, CA 94303

EXAMINER

LONG, ANDREA NATAE

ART UNIT

PAPER NUMBER

2176

DATE MAILED: 11/01/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No. 10/620,633	Applicant(s) PAYTON ET AL.	
	Examiner Andrea N. Long	Art Unit 2176	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 15 July 2003.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-36 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-36 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 15 July 2003 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date <u>02/20/04 04/24/06 09/22/06</u> | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

1. Claims 1-36 have been examined in response to application filed 07/15/2003.

Claim Rejections - 35 USC § 112

2. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter, which the applicant regards as his invention.

3. Claims 5, 17, and 29 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Regarding claims 5, 17, and 29, the phrase "an equivalent of any of the foregoing" renders the claim indefinite because it is unclear whether the limitation(s) following the phrase are part of the claimed invention. See MPEP § 2173.05(d).

Claim Rejections - 35 USC § 103

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Art Unit: 2176

5. Claims 1-36 are rejected under 35 U.S.C. 103(a) as being unpatentable over Mocek et al (US Patent 5924089), hereinafter "Mocek" in view of Bosworth et al. (US Patent 6016488), hereinafter "Bosworth".

6. As to claims 1, 13, and 25, Mocek discloses *a query assist tool, method, and article of manufacture comprising a computer program carrier readable by a computer and embodying one or more instructions executable by the computer for providing a dynamically adaptive interface for creating a query search condition* (column 2 lines 5-15 → Mocek discloses a database management system, that implements a user interface for the user to produce a command),

the computer program comprising,

means for displaying selectable query operators in a second display area (Fig 3E reference character 378, column 2 lines 25-26 → Mocek discloses selectable relational conditions), *and*

means responsive to selection of an operator, for displaying selectable options for the selected query operator in third region (column 4 line 65 through column 5 line 6, Fig 3E reference character 380 → Mocek discloses selecting an operator will allow the user to input and select string characters as values associated with the operator).

Mocek teaches a list of selectable database tables in a first display area.

However Mocek does not teach *means for displaying selectable columns of a table in a first display area*. Bosworth teaches *means for displaying selectable columns of a table*

Art Unit: 2176

in a first display area (column 3 lines 4-12 → Bosworth discloses a user selecting one or more columns from a table).

It would have been obvious to one of ordinary skill in the art at the time the invention was made, to make the selectable columns of a table of Bosworth an additional step after selecting the table in the query tool of Mocek to make constructing queries simple and efficient.

As for claims 2, 14, and 26, Mocek discloses *means for displaying a resulting search condition in a fourth display area after selection of a column, and operator, and an option* (column 5 lines 16-20, Fig 3E reference character 382 → Mocek discloses the computer interprets the information entered above and displays a search condition).

As for claims 3, 15, and 27, Mocek discloses *means for confirming a selection of a column, operator, and operator option* (column 4 lines 25-26; Fig 3A → Mocek discloses that the user can click the next button or any of the tabs to move on which is equivalent of a user confirmation).

As for claims 4, 16, and 28, Mocek discloses *means for displaying a resulting search condition in fourth display area in response to a selection confirmation* (column 4 lines 25-26, Figs 3A and 3K → Mocek discloses by selecting one of the tabs to move on, by clicking the SQL tab it will display the search condition).

As for claims 5, 17, 29, Mocek discloses *means for confirming a selection further comprises one or more of the group consisting of a selectable fifth display region, a*

Art Unit: 2176

mouse click, or a keystroke (column 4 lines 25-26, Fig 3A → Mocek discloses a Next button which is inherent that a mouse would be used to select the button or one of the tabs. The underlying of the first letter of the button name is also inherent that the user can select the button by and ctrl + keystroke).

As for claims 6, 18, and 30, Mocek discloses *means for providing a resulting search condition to a query model* (column 3 lines 60-63 → Mocek discloses that existing statements can used).

As for claims 7, 19, and 31, Mocek discloses *means for receiving at least a portion of a query statement, and means for displaying elements of the received query statement in a fourth display area* (column 4 lines 19-22, column 5 lines 11-13, Fig 3E reference character 376 → Mocek discloses that a partial statement can be created. Mocek also discloses selectable fields that are displayed).

As for claims 8, 20, and 32, Mocek discloses *means for receiving query elements from a query model instance* (column 5 lines 11-13, Fig 3E reference character 376 → Mocek discloses selectable fields associated with existing statements are displayed).

As for claims 9, 21, and 33, Mocek discloses *means for receiving at least a portion of a query statement from an application* (column 3 lines 21-23 → Mocek discloses implementing applications through a graphical user interface).

As for claims 10, 22, and 34, Bosworth discloses *means for providing a pull-down menu of selectable column names* (column 3 line 4-12, Fig 15 reference character 1511)

As for claims 11, 23, and 35, Mocek discloses *means for providing a pull-down menu of selectable operators* (Fig 3E reference character 378 → Mocek discloses selectable operators in scrollable menu window, that allows the user to pull the screen inside the window down to view all operators.)

As for claims 12, 24, and 36, Mocek discloses *means for displaying selectable operators for connecting a plurality of created search predicates in a fourth display region* (column 5 lines 11-13, Fig 3E reference character 376 → Mocek discloses fields which connect to the operators for form a search condition).

Conclusion

7. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure: Li et al. (US Patent 5418950) "System for interactive clause window construction of SQL queries", Sheffield (US Patent 5566330) "Method for forming a reusable and modifiable database interface object", Hibbetts et al (US Patent 5787418) "Find assistant for creating database queries, Sheffield (US Patent 5832481) "Reusable and modifiable interface object".


Any inquiry concerning this communication or earlier communications from the examiner should be directed to Andrea N. Long whose telephone number is 571-270-1055. The examiner can normally be reached on Mon - Thurs 7:30 am to 5:00 pm.

Art Unit: 2176

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Heather Herndon can be reached on 571-272-4136. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Andrea N. Long
10/26/06


WILLIAM BASHORE
PRIMARY EXAMINER